BORA LASKIN LAW LIBRARY
3 1761 10083574 3

MATERIALS ON PROPERTY

PART I

[Owen Merdis da Costa]
[Owen Charles Hazlewood]

TENTATIVE EDITION

1969-70

Faculty of Law
University of Toronto
Toronto, Ontario.

[V.1]

M534e
1.1

C O N T E N T S - P A R T I

PERSONAL PROPERTY

CHAPTER I

INTRODUCTION

Section 1 THE MEANING OF PROPERTY

Tucker v. Farm and General Investment Trust	1.1.1
International News Service v. The Associated Press	1.1.5
Victoria Park Racing Co. Ltd. v. Taylor	1.1.15
Laxton (or Ulrich) v. Ulrich	1.1.29

Section 2 DISTINCTION BETWEEN REAL AND PERSONAL PROPERTY

Aigler, Smith and Tefft, Cases on Property	1.2.1

CHAPTER II

THE ELEMENTS OF POSSESSION

Section 1 ACQUISITION OF POSSESSION OF THINGS ABANDONED OR NOT FORMERLY OWNED

Pierson v. Post	2.1.1
Casner and Leach, Cases and Text on Property	2.1.3
Young v. Hichens	2.1.4
State of Ohio v. Shaw	2.1.5
The Tubantia	2.1.7
Toronto Daily Star, January 8, 1965	2.1.11

Section 2 HOW LONG POSSESSION ONCE ACQUIRED WILL BE DEEMED TO CONTINUE

Mullett v. Bradley	2.2.1
Campbell v. Hedley	2.2.3
The Fur-Bearing Animals Protection Act, 1926	2.2.8
Kearry v. Pattinson	2.2.9
The Bees Act	2.2.11
Ghen v. Rich	2.2.12
Holmes, The Common Law	2.2.14

Section 3 OWNERSHIP IN RELATION TO POSSESSION

Wilson v. Lombank Ltd.	2.3.1

CHAPTER III

POSSESSION AND THE FINDING CASES

Section 1 ELEMENTS OF FINDING

Eads et al v. Brazelton	3.1.1
Keron v. Cashman	3.1.3

Contents

Section 2 RIGHTS OF FINDER AGAINST OTHER CLAIMANTS

Armory v. Delamirie	3.2.1
Grafstein v. Holme and Freeman	3.2.2
City of London Corp. et al v. Appleyard et al	3.2.11
Moffatt et al v. Kazana	3.2.16
The Law of Property Act, 1925	3.2.20
Conveyancing and Law of Property	3.2.20
Toronto Daily Star, June 5, 1964	3.2.21

Section 3 RIGHTS AND DUTIES OF FINDER IN RELATION TO OWNER

Isaack v. Clark	3.3.1
Nicholson v. Chapman	3.3.1
Problem	3.3.3

CHAPTER IV

EXTINGUISHMENT OF TITLE

Section 1 THE PERIOD OF LIMITATION

Ontario Law Reform Commission - Report on Limitation of Actions	4.1.1
The Limitations Act	4.1.1

Section 2 EXTINGUISHMENT OF RIGHT

Statute of Limitations	4.2.1
Chapin et al v. Freeland	4.2.1

Section 3 DETINUE AND CONVERSION

Clayton v. Le Roy	4.3.1
Thomas Brown & Sons Ltd. v. Fazal Deen et al	4.3.2

Section 4 ABSENCE OF KNOWLEDGE

Ontario Law Reform Commission - Report on Limitation of Actions	4.4.1

Section 5 PROBLEM

Problem	4.5.1

CHAPTER V

GIFTS

Section 1 GENERAL REQUIREMENTS

Irons v. Smallpiece	5.1.1
Cochrane v. Moore	5.1.2
Brown, The Law of Personal Property	5.1.8
In Re Cole, A Bankrupt . Ex Parte The Trustee of the Property of the Bankrupt	5.1.9
Thomas v. The Times Book Co. Ltd.	5.1.15
Nesbitt v. Chester	5.1.19
Spurgeon v. Aasen	5.1.25
Slovchenko v. Toronto-Dominion Bank and Mereshko	5.1.29
Problem	5.1.32

Section 2 CHOSE IN ACTION

Sanderson v. Halstead	5.2.1

Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/materialsonprope01mend_0

Contents

CHAPTER VI

GIFTS MORTIS CAUSA

Section 1 GENERAL REQUIREMENTS

Thompson v. Mechan 6.1.1
Canada Trust Co. v. Labadie 6.1.5

Section 2 CHOSE IN ACTION

Re Kuyat Dreyer and Dreyer v. Official Administrator 6.2.1
Problem 6.2.3

CHAPTER VII

THE ORAL TRUST COMPARED

Section 1 GENERAL REQUIREMENTS

Richards v. Delbridge 7.1.1
Re Mellen 7.1.3

CHAPTER VIII

JOINT ACCOUNTS

Re Cameron 8.1.1

CHAPTER IX

GIFTS OF LAND

Dauphinee v. Height et al 9.1.1
Land Titles Act 9.1.7